

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**SAMUEL E. WLY and DONALD R. MILLER,
JR., in his capacity as the Independent Executor of
the Will and Estate of Charles J. Wyly, Jr.,**

Defendants.

No. 1:10-cv-05760-SAS

Notice of Motion *In Limine*

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Plaintiff Securities and Exchange Commission's Motion *In Limine* to Exclude Part of the Testimony of Defense Expert McConnell, and the exhibits in support thereof, Plaintiff Securities and Exchange Commission ("Commission") respectfully moves this Court, before the Honorable Shira A. Scheindlin, United States District Judge, Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 15C, New York, New York 10007-1312, for an order excluding the opinions and testimony of Robert Danforth and Andrew Thorpe.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's briefing schedule any opposing affidavits and answering memoranda shall be served on or before Friday, July 25, 2014.

PLEASE TAKE FURTHER NOTICE that movant requests oral argument on its motion.

Dated: July 18, 2014

Respectfully submitted,

/s/ John D. Worland, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that, on this 18th day of July 2014, copies of the SEC's Notice of Motion *In Limine* to Exclude Part of the Testimony of Defense Expert McConnell were served in .pdf format on the following parties via the Court's ECF system:

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